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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,932	02/14/2001	Dan Kikinis	004688.P011	1334

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EXAMINER

LEWIS, ADAM M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 12/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/783,932

Applicant(s)

KIKINIS ET AL.

Examiner

Adam M. Lewis

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-7. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-4 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molnar et al. ("Molnar", US# 5,734,597) in view of Torres ("Torres", US# 5,289,205), and further in view of Perry ("Perry", US# 5,553,225).

As per claim 1, Molnar teaches a method for inputting time and date in a video environment, wherein the settings comprise day, month, year, hour, minute, and seconds (Molnar, Fig. 2). Molnar does not teach displaying one or more sliders, each having a slide knob and ends, displaying within the slide knob a desired setting, wherein the slide knob may be pulled with a user input device; and displaying a range limit for an end of each slider.

Torres teaches scroll bars including a visual value select graphic in which the currently selected value appears (Torres, col. 3, lines 64-68 and col. 4, lines 1-5). Torres also discloses displaying a range limit for each scroll bar (Torres, Fig. 2; col. 4, lines 41-45). It would have been obvious to one skilled in the art at the time of invention to use the scroll bar system of Torres in the time and date setting system of Molnar because it would provide more immediate and accurate visual feedback to the user.

Perry teaches a scroll bar system in which the slider within the scroll bar may be pulled by a user input device (Perry, col. 3, lines 46-55). It would have been obvious to one skilled in the art at the time of invention to use the moveable slider system of Perry in the time-input scroll bar system of Molnar and Torres because it would increase the efficiency with which the user could enter the correct time.

Independent claims 3, 7, and 9 are similar in scope to claim 1, and are therefore rejected under similar rationale.

As per claim 2, which is dependent on claim 1, Perry further teaches the method according to claim 1, further comprising displaying a slide knob, where a slide knob's position between the ends of each slider corresponds to the desired setting's proximity to the range limit (Perry, col. 2, lines 1-6).

Dependent claims 4, 8, and 10 are similar in scope to claim 2, and are therefore rejected under similar rationale.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molnar, Torres, and Perry as applied to claims 1-4 and 7-10 above, and further in view of Abe et al. ("Abe", US# 4,325,081).

The invention of Molnar, Torres, and Perry teaches a timing input system using sliders, but does not teach the specific timing input system to indicate the beginning of a video program or a series of programs to be viewed.

Abe teaches a programmable system that can be used in conjunction with another device that allows the user to enter the beginning time of a program (Abe, col. 2, lines 20-24, 66-68; col. 3, lines 1-6).

It would have been obvious to one skilled in the art at the time of invention to use the program start time system of Abe as the function of the time input system of Molnar, Torres, and Perry because it would provide a way for a user to schedule any exact time that the user desired to watch, record, or playback any given program.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molnar, Torres, Perry, and Abe as applied to claims 1-5 and 7-10 above, and further in view of Lawler et al. ("Lawler", US# 5,699,107).

The invention of Molnar, Torres, Perry, and Abe teaches a system using sliders to input the start date and time of a video program. That invention does not teach the slider indicating a series of programs to be viewed.

Lawler teaches a program reminder system that includes an electronic programming guide (EPG). The EPG is a grid of programs organized by time, but that may also be categorized by type of program and other criteria (Lawler, col. 2, lines 22-32). It would have been obvious to one skilled in the art at the time of invention to use the categorized programs from the Lawler EPG in the scroll bar system of Molnar, Torres, Perry, and Abe because it would provide consistency throughout the programming process and therefore make the system more user friendly.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davis et al. (US# 5,615,347) teaches a method and apparatus for linking images of sliders on a computer display.

Gasperina (US# 5,491,781) teaches a method and apparatus for displaying a graphic image that includes sliders and the value related to the position of the slider.

Higgins et al. (US# 5,477,241) teaches a method of resetting a computer video display mode that includes sliders and the value related to the position of the slider.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Lewis whose telephone number is 703-305-0720. The examiner can normally be reached on M-Th 7:00-4:30, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
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